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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/614,839	HARRIS ET AL.
	Examiner Dominic E. Rego	Art Unit 2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 08 July 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-42 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-42 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>02/02/2004</u>	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 8-14, 16-31, 33-38 and 40-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Rosen et al. (*US Patent Application Publication #20030008657*).

Regarding claim 1, Rosen teaches a method of reducing paging-related delays for anticipated target mobile stations (MS), the method comprising:

anticipating by a radio access network (RAN) (*paragraph 0012*) that an MS is likely to be a target of communication not yet initiated; when a loading level of a serving cell of the MS is below an assignment threshold, assigning a traffic channel to the MS to avoid paging-related delays for the MS should the MS become a target of communication (*Paragraphs 0007, 0032, 0070, 0087 and 0089*).

Regarding claim 2, Rosen teaches the method, wherein the loading level of the serving cell comprises a traffic channel loading level of the serving cell (*Paragraph 0007*).

Regarding claim 3, Rosen teaches the method, further comprising: paging the MS in cells that have a loading level below the assignment threshold (*Figure 2, element 214, paragraph 0032*).

Regarding claim 4, Rosen teaches the method, wherein paging the MS comprises paging the MS in a manner that gives higher paging priority to pages for MSs for which communication has already been initiated (*Paragraph 0013, 0032, and 0036*).

Regarding claim 5, Rosen teaches the method, further comprising: receiving a page response from the MS that indicates an MS signal strength; assigning a traffic channel to the MS when the MS signal strength is above a signal strength threshold, even though communication targeting the MS has not been initiated yet (Paragraphs 0007, 0050, 0070, 0087 and 0089).

Regarding claim 8, Rosen teaches the method, wherein anticipating that an MS is likely to be a target of communication not yet initiated (*not re-established yet*) comprises receiving an indication from the group consisting of an indication that the MS is newly available to a group of associated communication devices wherein each of the group of associated communication devices is related to the MS as a messaging buddy (*voice chat*), a presence query for the MS, a presence state update from the MS indicating that the MS is no longer in an offline presence state, an indication that a buddy of MS has become newly available, an indication that a message addressed to

the MS is being composed, an indication that an address book listing associated with the MS has been recently accessed, an indication that messaging associated with the MS has been recently accessed, an indication that the MS requires emergency responder status, and an indication that the MS is in an active messaging mode (*Paragraphs 0004, 0038, 0039, 0041, 0070, 0087, and 0089*).

Regarding claim 9, Rosen teaches the method, wherein the messaging associated with the MS comprises messaging from the group consisting of data burst messaging (DBM), short data burst (SDB) messaging, short message service (SMS) messaging, voice mail messaging, e-mail messaging, presence messaging, and Caller ID messaging (*Paragraphs 0009 and 0010*).

Regarding claim 10, Rosen teaches the method, wherein the indication that the MS is in an active messaging mode comprises recent messaging from the MS from the group consisting of data burst messaging, short message service (SMS) messaging, short data burst (SDB) messaging, and broadcast programming request messaging, wherein the indication that the MS is in an active messaging mode comprises recent messaging for the MS from the group consisting of data burst messaging, SMS messaging, SDB messaging, voice mail notification messaging, and email notification messaging (*Paragraphs 0004, 0009, 0010*).

Regarding claim 11, Rosen teaches the method, wherein the at least one

operational mode comprises MS modes from the group consisting of a semi-dormant mode, an unslotted mode, a control hold mode, a speculative scanning mode, and a reduced slot cycle index (RSCI) mode, wherein the MS performs periodic location updates in the semi-dormant mode (*Paragraphs 0094 and 0107*).

Regarding claim 12, Rosen teaches a method of reducing paging-related delays for anticipated target mobile stations (MS), the method comprising: anticipating by a radio access network (RAN) that an MS is likely to be a target of communication not yet initiated; signaling the MS to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraphs 0048,0049,0063,0070,0091,0106, and 0110*).

Regarding claim 13, Rosen teaches the method, wherein signaling the MS comprises: in at least one cell in which a loading level is below an upper threshold, signaling the MS to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraphs 0048,0049,0063,0070,0091,0106, and 0110*).

Regarding claim 14, Rosen teaches the method, wherein the loading level comprises a paging channel loading level of the serving cell (*Paragraphs 0058 and 0095*).

Regarding claim 16, Rosen teaches the method, wherein cells that have a loading level between the assignment threshold and the upper threshold associated with one of three groups according to their individual loading levels, a high load group, a medium load group, and a low load group, and wherein signaling comprises:

signaling the MS in at least one cell in the high load group to transition to a reduced slot cycle index (RSCI) mode (*Paragraphs 0095 and 0096*);

signaling the MS in at least one cell in the medium load group to transition to a semi-dormant mode, wherein the MS performs periodic location updates in the semi-dormant mode; signaling the MS in at least one cell in the low load group to transition to a control hold mode (*Paragraphs 0105-0107*).

Regarding claim 17, Rosen teaches the method, further comprising: when no response to previous signaling is received, signaling the MS, in at least one cell in which a loading level is above the upper threshold, to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraph 0007*).

Regarding claim 18, Rosen teaches the method, further comprising: when no response to previous signaling is received, signaling the MS, in at least one cell in which the MS has not yet been signaled, to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraph 0007*).

Regarding claim 19, Rosen teaches the method, wherein signaling the MS

comprises signaling the MS in a manner that gives higher signaling priority to MSs for which communication has already been initiated (*Paragraph 0013, 0032, and 0036*).

Regarding claim 20, Rosen teaches the method, wherein anticipating that an MS is likely to be a target of communication not yet initiated (*not re-established yet*) comprises receiving an indication from the group consisting of an indication that the MS is newly available to a group of associated communication devices wherein each of the group of associated communication devices is related to the MS as a messaging buddy (*voice chat*), a presence query for the MS, a presence state update from the MS indicating that the MS is no longer in an offline presence state, an indication that a buddy of MS has become newly available, an indication that a message addressed to the MS is being composed, an indication that an address book listing associated with the MS has been recently accessed, an indication that messaging associated with the MS has been recently accessed, an indication that the MS requires emergency responder status, and an indication that the MS is in an active messaging mode (*Paragraphs 0004, 0038, 0039, 0041, 0070, 0087, and 0089*).

Regarding claim 21, Rosen teaches the method, wherein the messaging associated with the MS comprises messaging from the group consisting of data burst messaging (DBM), short data burst (SDB) messaging, short message service (SMS) messaging, voice mail messaging, e-mail messaging, presence messaging, and Caller ID messaging (*Paragraphs 0009 and 0010*).

Regarding claim 22, Rosen teaches the method, wherein the indication that the MS is in an active messaging mode comprises recent messaging from the MS from the group consisting of data burst messaging, short message service (SMS) messaging, short data burst (SDB) messaging, and broadcast programming request messaging, wherein the indication that the MS is in an active messaging mode comprises recent messaging for the MS from the group consisting of data burst messaging, SMS messaging, SDB messaging, voice mail notification messaging, and email notification messaging (*Paragraphs 0004, 0009, 0010*).

Regarding claim 23, Rosen teaches the method, wherein the group of associated communication devices includes a threshold number of members (*Paragraphs 0024 and 0025*).

Regarding claim 24, Rosen teaches the method, wherein the group of associated communication devices includes a threshold number of available members (*Paragraphs 0024 and 0025*).

Regarding claim 25, Rosen teaches the method, wherein the group of associated communication devices includes a threshold percentage of available members (*Paragraphs 0024 and 0025*).

Regarding claim 26, Rosen teaches the method of claim 12, wherein the at least one operational mode comprises MS modes from the group consisting of a semi-dormant mode, an unslotted mode, a control hold mode, a speculative scanning mode, and a reduced slot cycle index (RSCI) mode, wherein the MS performs periodic location updates in the semi-dormant mode (*Paragraphs 0094 and 0107*).

Regarding claim 27, Rosen teaches the method, wherein signaling the MS comprises signaling the MS to transition to the at least one operation mode for a particular period of time (*Paragraphs 0048, 0049, 0063, 0070, 0091, 0106, and 0110*).

Regarding claim 28, Rosen teaches the method, wherein signaling the MS comprises signaling the MS to transition to the semi-dormant mode for a maximum number of reports (*Paragraph 0107*).

Regarding claim 29, Rosen teaches the method, further comprising: receiving an indication from the MS that MS battery life is low, wherein the at least one operational mode in which paging-related delays for the MS are reduced is limited to a reduced slot index mode (RSCI) (*paragraphs 0095 and 0096*).

Regarding claim 30, Rosen teaches a radio access network (RAN) comprising: wireless transceiver equipment adapted to support signaling transmission and reception for each cell of a plurality of cells; a communications controller, communicatively

coupled to the wireless transceiver equipment for each cell of the plurality of cells

(Paragraph 0012),

adapted to anticipate that a mobile station (MS) is likely to be a target of communication not yet initiated, adapted, when a loading level of a serving cell of the MS is below an assignment threshold, to assign a traffic channel to the MS to avoid paging-related delays for the MS should the MS become a target of communication *(Paragraphs 0007, 0032, 0070, 0087 and 0089).*

Regarding claim 31, Rosen teaches the RAN, wherein the communications controller is further adapted to page the MS in cells that have a loading level below the assignment threshold *(Figure 2, element 214, paragraph 0032).*

Regarding claim 33, Rosen teaches the RAN, wherein anticipating by the communications controller that an MS is likely to be a target of communication not yet initiated (*not re-established yet*) comprises receiving an indication from the group consisting of an indication that the MS is newly available to a group of associated communication devices wherein each of the group of associated communication devices is related to the MS as a messaging buddy (*voice chat*), a presence query for the MS, a presence state update from the MS indicating that the MS is no longer in an offline presence state, an indication that a buddy of MS has become newly available, an indication that a message addressed to the MS is being composed, an indication that an address book listing associated with the MS has been recently accessed, an indication

that messaging associated with the MS has been recently accessed, an indication that the MS requires emergency responder status, and an indication that the MS is in an active messaging mode (*Paragraphs 0004, 0038, 0039, 0041, 0070, 0087, and 0089*).

Regarding claim 34, Rosen teaches the RAN, wherein the messaging associated with the MS comprises messaging from the group consisting of data burst messaging (DBM), short data burst (SDB) messaging, short message service (SMS) messaging, voice mail messaging, e-mail messaging, presence messaging, and Caller ID messaging (*Paragraphs 0009 and 0010*).

Regarding claim 35, Rosen teaches the RAN, wherein the indication that the MS is in an active messaging mode comprises recent messaging from the MS from the group consisting of data burst messaging, short message service (SMS) messaging, short data burst (SDB) messaging, and broadcast programming request messaging, wherein the indication that the MS is in an active messaging mode comprises recent messaging for the MS from the group consisting of data burst messaging, SMS messaging, SDB messaging, voice mail notification messaging, and email notification messaging (*Paragraphs 0004, 0009, 0010*).

Regarding claim 36, Rosen teaches the RAN, wherein the at least one operational mode comprises MS modes from the group consisting of a semi-dormant mode, an unslotted mode, a control hold mode, a speculative scanning mode, and a

reduced slot cycle index (RSCI) mode, wherein the MS performs periodic location updates in the semi-dormant mode (*Paragraphs 0094 and 0107*).

Regarding claim 37, Rosen teaches a radio access network (RAN) comprising: wireless transceiver equipment adapted to support signaling transmission and reception for each cell of a plurality of cells; a communications controller, communicatively coupled to the wireless transceiver equipment for each cell of the plurality of cells (*Paragraph 0012*),

adapted to anticipate that a mobile station (MS) is likely to be a target of communication not yet initiated, adapted to signal the MS to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraphs 0048, 0049, 0063, 0070, 0091, 0106, and 0110*).

Regarding claim 38, Rosen teaches the RAN, wherein signaling the MS comprises: in at least one cell in which a loading level is below an upper threshold, signaling the MS to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Paragraphs 0048, 0049, 0063, 0070, 0091, 0106, and 0110*).

Regarding claim 40, Rosen teaches the RAN, wherein anticipating that an MS is likely to be a target of communication not yet initiated (*not re-established yet*) comprises receiving an indication from the group consisting of an indication that the MS

is newly available to a group of associated communication devices wherein each of the group of associated communication devices is related to the MS as a messaging buddy (*voice chat*), a presence query for the MS, a presence state update from the MS indicating that the MS is no longer in an offline presence state, an indication that a buddy of MS has become newly available, an indication that a message addressed to the MS is being composed, an indication that an address book listing associated with the MS has been recently accessed, an indication that messaging associated with the MS has been recently accessed, an indication that the MS requires emergency responder status, and an indication that the MS is in an active messaging mode (*Paragraphs 0004, 0038, 0039, 0041, 0070, 0087, and 0089*).

Regarding claim 41, Rosen teaches the RAN, wherein the messaging associated with the MS comprises messaging from the group consisting of data burst messaging (DBM), short data burst (SDB) messaging, short message service (SMS) messaging, voice mail messaging, e-mail messaging, presence messaging, and Caller ID messaging (*Paragraphs 0009 and 0010*).

Regarding claim 42, Rosen teaches the RAN, wherein the indication that the MS is in an active messaging mode comprises recent messaging from the MS from the group consisting of data burst messaging, short message service (SMS) messaging, short data burst (SDB) messaging, and broadcast programming request messaging, wherein the indication that the MS is in an active messaging mode comprises recent

messaging for the MS from the group consisting of data burst messaging, SMS messaging, SDB messaging, voice mail notification messaging, and email notification messaging (*Paragraphs 0004, 0009, 0010*).

Regarding claim 43, Rosen teaches the RAN, wherein the at least one operational mode comprises MS modes from the group consisting of a semi-dormant mode, an unslotted mode, a control hold mode, a speculative scanning mode, and a reduced slot cycle index (RSCI) mode, wherein the MS performs periodic location updates in the semi-dormant mode (*Paragraphs 0094 and 0107*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al. (*US Patent Application Publication #20030008657*) in view of Cheng et al. (US Patent #6,353,602).

Regarding claim 6, Rosen teaches all the claimed elements in claim 1, except for the method, further comprising: receiving a page response from the MS that indicates a number of MS signaling legs; assigning a traffic channel to the MS when the

number of MS signaling legs is below a signaling-leg threshold, even though communication targeting the MS has not been initiated yet.

However, in related art, Cheng teaches the method, further comprising: receiving a page response from the MS that indicates a number of MS signaling legs; assigning a traffic channel to the MS when the number of MS signaling legs is below a signaling-leg threshold, even though communication targeting the MS has not been initiated yet (See *abstract and Column 6, line 21-31*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the method, further comprising: receiving a page response from the MS that indicates a number of MS signaling legs; assigning a traffic channel to the MS when the number of MS signaling legs is below a signaling-leg threshold, even though communication targeting the MS has not been initiated yet, as taught by Cheng, in the Rosen device in order to receive or transmit voice data through the traffic channel.

5. Claims 7,15, 32 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al. (*US Patent Application Publication #20030008657*) in view of Diaz et al. (*US Patent #5,442,809*).

Regarding claim 7, Rosen teaches all the claimed elements in claim 1, except for the method, further comprising: signaling the MS in at least one cell that has a

loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

However, in related art, Diaz teaches the method, further comprising: signaling the MS in at least one cell that has a loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced (*Col. 2, line 8-21*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the method, further comprising: signaling the MS in at least one cell that has a loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced, as taught by Diaz, in the Rosen device in order to save battery power by transitioning to the exact mode.

Regarding claim 15, Rosen teaches all the claimed elements in claim 13, except for the method, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

However, in related art, Diaz teaches the method, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the method, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced, as taught by Diaz, in the Rosen device in order to save battery power by transitioning to the exact mode.

Regarding claim 32, Rosen teaches all the claimed elements in claim 30, except for the RAN, wherein the communications controller is further adapted to signal the MS in at least one cell that has a loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

However, in related art, Diaz teaches the RAN, wherein the communications controller is further adapted to signal the MS in at least one cell that has a loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the RAN, wherein the communications controller is further adapted to signal the MS in at least one cell that has a loading level between the assignment threshold and an upper threshold to transition to at least one operational mode in which paging-related delays for the MS are

reduced, as taught by Diaz, in the Rosen device in order to save battery power by transitioning to the exact mode.

Regarding claim 39, Rosen teaches all the claimed elements in claim 30, except the RAN, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

However, in related art, Diaz teaches the RAN, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the RAN, wherein signaling the MS comprises: signaling the MS in at least one cell that has a loading level between an assignment threshold and the upper threshold to transition to at least one operational mode in which paging-related delays for the MS are reduced, as taught by Diaz, in the Rosen device in order to save battery power by transitioning to the exact mode.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Haartsen (*US Patent #5,870,673*) teaches methods and systems for concurrent receipt of incoming calls from a wide area cellular communications network.

8. Motegl et al. (*US Patent Application Publication # 20040254980*) server, mobile communication system, positional information managing method, radio base station, mobile station method for calling in mobile communication system, and mobile communication method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic E. Rego whose telephone number is 571-272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dominic E. Rego.

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